

201-15650



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 22 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Jack Murray
CPA Executive Director
Synthetic Organic Chemical Manufacturers Association
Suite 700
1850 M St, NW
Washington, DC 20036

Dear Mr. Murray:

Thank you for your letter dated August 30, 2004, addressed to Mr. Michael O. Leavitt, Administrator, U.S. Environmental Protection Agency (EPA). Administrator Leavitt has asked me to respond on his behalf. Your letter responds to EPA's July 22, 2004, letter regarding the status of 1,2,4,5-tetrachlorobenzene (CAS No. 95-94-3) in the High Production Volume (HPV) Challenge Program.

Your letter states that a search of the EPA HPV Chemical List reveals that Standard Chlorine of Delaware, Inc. was the only company reporting 1,2,4,5-tetrachlorobenzene (CAS No. 95-94-3) to the Inventory Update Rule (IUR) for the periods 1990, 1994, and 1998 and that Standard Chlorine was subsequently purchased by Metachem Products, LLC. The letter also reports that Metachem Products, LLC declared bankruptcy and closed in May, 2002, and that the IUR shows no reports for this chemical in 2002. Your letter requests, that given the unusual circumstances, the status of 1,2,4,5-tetrachlorobenzene (CAS No. 95-94-3) be changed from meeting the HPV criteria to a "no longer HPV" status.

While the HPV Chemical List and the IUR data available on the EPA web site only reflect non-confidential reports, a search of EPA's other records supports the claim that no other companies reported this chemical in 1998 and 2002. Given the circumstances outlined in your letter regarding closure of the Metachem Products, LLC facility, EPA will, in this case, accept that 1,2,4,5-tetrachlorobenzene (CAS No. 95-94-3) **does meet** the "no longer HPV" criteria because it is no longer being manufactured. The HPV Challenge Program Chemical List will be annotated by designating this chemical with a "5" to indicate that it is "no longer HPV."

We will post your letter, accompanied by our reply, on the ChemRTK website as soon as possible. Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-4770.

Sincerely,

Wardner G. Feenberthy
Acting Director
Chemical Control Division

cc: AR201

Jessica Ross, SOCMA VISIONS